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Postal Regulatory Commission

Statement before the House Administration Elections Subcommittee
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Chairwoman Lofgren, Ranking Member McCarthy, and members of the Subcommittee, I very much appreciate the opportunity to present my views at today's hearing. I commend your interest in advancing the voting rights of all U.S. citizens and for exploring options to encourage greater voter participation. The expanded use of "no excuse" absentee ballots and voting by mail promise to do both.

I have served as a Commissioner at the Postal Regulatory Commission for nine years. Although the Commission has no direct authority over voting by mail at this time, I am very familiar with how the mail stream works, how 700 million pieces of mail are delivered each day and how reliable our Postal Service is. I see enormous benefits to the public, to state and local election officials as they make greater use of the mail. And I see benefits for the Postal Service as it works to maintain its vital role in the nation's economy and social life. I wish to state that my comments reflect my personal views, not those of the Commission.

Like the Subcommittee's Chair and Ranking Member, I too am from California where over 40 percent of the votes were cast by mail in the last election. Since the introduction of voter-choice permanent absentee registration in 2002, the absentee ballot has been used by ever greater numbers of voters in our state. The percentage of absentee ballots within the total vote has increased from 27 in 2002 to over 41 in 2006. The Western states had the highest reported use of absentee ballots and voting by mail. According to the federal Election Assistance Commission's 2004 Election Day Survey Report, this is due to "the popularity of absentee voting within states in the region and laws that promote absentee voting." In states that are growing quickly, have wide open spaces, multiple languages and complex initiatives on the ballots, the opportunity to read a ballot slowly in the privacy of one's home and drop it in the mail is appreciated and encouraged. I note with pride that California's Secretary of State Debra Bowen and my own State Assembly Representative Ted Lui have been supporting additional legislation to encourage paper ballots and voting by mail.

Among the issues discussed today will be legislative initiatives authored by Representative Susan Davis, another Californian and a member of your Subcommittee. I applaud her efforts, which would expand the availability and use of absentee ballots in the United States and encourage expanded vote by mail. During the 2000 and 2002 presidential elections, absentee ballots

accounted for an estimated 16 percent of the votes counted nationwide, however, there was a great disparity between those states allowing “no excuse” absentee voting and those limiting such an opportunity. Only 23 states currently allow for “no excuse” absentee ballots and many of those require requests for absentee ballots at each election that may limit citizens’ use of them.

Offering citizens the option of voting by mail provides significant advantages, including the potential to increase voter turnout for national, state, and local elections. Voters would not need to take time off from work, find transportation, locate the right polling station, get babysitters, or rush through critical, yet sometimes complicated ballot initiatives. As the former mayor of Santa Monica, California, I know the importance of these initiatives and the desirability of having an informed electorate. I believe voting by mail will encourage greater voter participation at the federal, state and local level and promote more thoughtful review of these ballot initiatives that often require closer examination than is possible in a voting booth.

I advocate voting by mail because the mail provides a secure way for citizens to cast their ballots. Given the widespread, continuing concern over voting machine security, it is good to know that mail ballots are tamper resistant. In fact, tampering or interfering with the U.S. Mail is a federal crime, and one of the nation’s oldest law enforcement agencies – the Postal Inspection Service – works closely with its counterparts at all levels of government to enforce the law. I am an advocate for the advantages of a verifiable and transparent paper trail. The Postal Service can provide a system of hard copy distribution and collection that many voters believe is the best way to protect their votes.

Public confidence in the accuracy of vote counting is at an all-time low. The Election Assistance Commission estimated that as many as 850,000 votes were not counted in the 2004 elections, and a recent report warned that electronic voting machines cannot be made secure. Fortunately, a remarkably sophisticated and effective technology exists for solving these problems, and it is “old-fashioned” mail.

In national polls, the Postal Service is rated the most trustworthy federal government institution. When I receive and send my ballot by mail, I am far more confident in the security and integrity of the process than were I to use electronic touch screen machines, particularly those without a paper trail. Further, the process reinforces for those citizens who vote by mail the importance and value of the nation’s mail system.

I’m pleased to report that the Postal Service is working increasingly with state and local election officials to promote its Official Election Mail program and to make that process simpler and more accountable. For the first time, at this

year's National Postal Forum, an important educational and trade show, the Postal Service held a workshop on preparing mail for elections. The Postal Service has recently designated Election Mail Representatives in field offices throughout the country to work with election officials. The Postal Service website now offers detailed information on mail design, rates, address correction and service standards under the heading "Elections Officials' Mailing Resources." It has developed an election mail logo for the exclusive use of election officials' mailings that makes election mail easily identifiable as it moves through the mail processing system and alerts mail-handlers to more promptly move the mail to the voter or back to the appropriate local elections offices.

Mailed-in paper ballots can and should be made even more secure and reliable. The Postal Service already uses barcode scanning to inexpensively track huge volumes of mail and packages from origin to destination. With minor, but careful modifications, this existing Intelligent Mail technology could be adapted for use with ballots, thereby allowing voters to check on the location and status of their vote by entering a tracking number by phone or over the Internet. This would also assist states and localities which may or may not be tracking absentee ballots now. The Postal Service has announced that by 2009 mailers seeking automation discounts will be required to use an Intelligent Mail barcode. The IM barcode will enable the tracking of virtually every piece that such mailers put into the mail stream everyday. Already in states that rely on vote by mail, trained and supervised election workers compare the signature on the envelope and on the registration card using a computer screen. Several private companies are offering ballot barcodes that compliment the Postal Service's IM barcode for seamless tracking from printing to counting.

After the 2000 elections, the Postal Service developed an expedited national standard to handle overseas ballots for military and other U.S. government personnel called the APO/FPO Ballot Express. Similar procedures can and should be developed for local and state mail-in ballots as well. National standards regarding the counting of ballots based on postmark rather than arrival in the election office might be evaluated by Congress in consultation with the Postal Service, as might the idea of establishing the first-class stamp as the uniform ballot rate regardless of a ballot's weight or size, or offering prepaid postage for mail ballots. The design of some ballots requires additional postage and, if voters have not put the extra postage on, some local post offices have been returning the ballots to the voters while some have agreed to send it on to election officials. The election officials may or may not be accepting the ballots and may or may not be paying the additional postage to the Postal Service.

The founders of our country conceived of a national postal service as a force to "bind our nation together." Newer technologies may now be available to spread the news and help families stay in touch, but the U.S. Postal Service is

the only federal agency that provides truly universal and reliable service to every residence six days a week. It should be called upon to meet the latest challenge to the integrity of our democracy resulting from the electorates' distrust of electronic voting and their skepticism about the truthfulness of election outcomes. As a regulator of the Postal Service, I will do what I can to ensure that election mail becomes an important part of the mail stream and that service standards for the various classes of mail are consistent with the unique needs of election mail. As a citizen, I am here to support mail-in balloting as a secure and efficient alternative to in-person voting.

Thank you, Chairwoman Lofgren, Ranking Member McCarthy, and members of the Subcommittee, for this opportunity to address you today. I will be happy to answer any questions you may have.

The Postal Regulatory Commission is an independent agency that has provided oversight of the U.S. Postal Service since its initial creation as the Postal Rate Commission by the Postal Reorganization Act of 1970.